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August 27, 2014

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The Honorable Denise L. Cote
 U.S. District Judge, Southern District of New York
 Daniel Patrick Moynihan U.S. Courthouse
 500 Pearl Street
 New York, New York 10007-1312

Re: Times Three Clothier, LLC v. Spanx, Inc., No. 1:13-cv-2157 (DLC)
(Lead Consolidated Case combining Nos. 1:13-cv-7260 and 1:13-cv-7635)

Dear Judge Cote:

Pursuant to the Court's August 20, 2014 Order, the parties have conferred regarding scheduling in the subject case and jointly propose the following consolidated schedule for further proceedings.

Date	Event
10/14/2014 (Tues) (6 weeks from Labor Day)	Spanx's Invalidity Contentions for utility patent
10/28/2014 (Tues) (2 weeks)	Parties to exchange lists of terms in utility patent requiring construction
11/11/2014 (Tues) (2 weeks)	Parties to exchange proposed constructions for utility patent terms
11/25/2014 (Tues) (2 weeks)	Deadline for parties to meet and confer regarding utility patent claim constructions
12/9/2014 (Tues) (2 weeks)	Joint Claim Terms Chart due for utility patent

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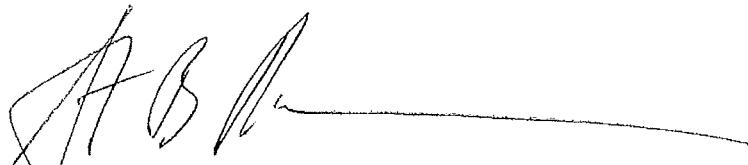
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Date	Event
1/16/2015 (Fri) (approx. 4 weeks, considering holidays)	Times Three's opening claim construction brief due (for utility patent)
2/18/2015 (Wed) (approx. 4 weeks)	Spanx's response to opening claim construction brief due (for utility patent)
3/3/2015 (Tues) (2 weeks)	Times Three's reply on claim construction due (for utility patent)
Week of 3/23/2015 or as soon thereafter as the Court can hear the parties	Markman hearing (for utility patent)
Remaining dates to flow from date of ruling and then from each immediately prior date	Ruling on Claim Construction
(2 weeks)	Times Three's amended infringement contentions, if any
(2 weeks)	Spanx's amended invalidity contentions, if any
(6 weeks)	Close of fact discovery
(4 weeks)	Initial Expert Witness Disclosures issues on which each party bears the burden of proof
(4 weeks)	Initial Expert Witness Disclosures - issues on which the opposing party bears the burden of proof
(2 weeks)	Rebuttal Expert Witness Disclosures
(4 weeks)	Expert Discovery Deadline

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Date	Event
(2 weeks)	Deadline to serve any Motion for Summary Judgment
(2 weeks)	In the event no Motion for Summary Judgment is filed, deadline to file Joint Pretrial Order

Respectfully submitted,



Steven B. Pokotilow
Counsel for Plaintiff Times Three Clothier, Inc.

cc: Counsel of Record (by ECF)

So ordered.
Denise Cote
8/27/14